

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The office action dated April 23, 2003 has been received and its contents carefully reviewed.

Claims 1, 4, 11, 18, 38, 43-49, 54-56, 58, 60-64, 68, and 73 are hereby amended; claims 42 and 53 are hereby canceled without prejudice or disclaimer; and claims 81 and 82 are hereby added. Accordingly, claims 1-41, 43-52, and 54-82 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, claim 38 is rejected under 35 U.S.C. due to insufficient antecedent basis; claims 1-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,475,749 to Akinpelu et al. (hereinafter "Akinpelu") in view of U.S. Patent No. 5,896,447 to Bunge et al. (hereinafter "Bunge"); claims 11-15, 65, 70, and 80 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of U.S. Patent No. 5,699,416 to Atkins (hereinafter "Atkins"); claims 16-20, 66-69, and 71-74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Atkins in further view of Bunge; claims 4-6, and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Bunge in further view of Atkins; claims 21-64, and 75-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Atkins in further view of U.S. Patent No. 6,430,274 to Winstead et al. (hereinafter "Winstead"); and claims 7-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Bunge in further view of Atkins and Winstead.

In the Office Action, claim 38 is rejected under 35 U.S.C. due to insufficient antecedent basis. In response, claim 38 has been amended to properly depend from claim 37, thereby

redressing the antecedent basis issue. Applicant respectfully submits that this amendment overcomes the rejection of claim 38.

In the Office Action, claims 1-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Bunge.

The rejection of independent claim 1 is respectfully traversed and reconsideration is requested. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the combination of Akinpelu and Bunge fail to teach all the limitations of claim 1.

Claim 1 is allowable over the cited references in that the claim, as amended, recites “determining information about the telephone number including ... whether the telephone number is associated with a switchless reseller.” Nothing in the cited references, Akinpelu and Bunge, teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 1, and claims 2-3, which depend from claim 1, are allowable over the cited references.

In the Office Action, claims 11-15, 65, 70, and 80 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Atkins.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the

combination of Akinpelu and Atkins fail to teach all the limitations of claims 11-15, 65, 70, and 80.

The rejection of independent claim 11 is respectfully traversed and reconsideration is requested. Independent claim 11, as amended, recites “determining from the information whether the terminating carrier is a switchless reseller.” Nothing in the cited references, Akinpelu and Atkins, teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 11, and claims 12-20, which depend from claim 11, are allowable over the cited references.

The rejection of claims 65, 70, and 80 is respectfully traversed and reconsideration is requested. Claim 65 is allowable over the cited references in that the claim recites “querying a database associated with the carrier, the database containing telephone numbers associated with switchless resellers, using the telephone number to determine if the telephone number is associated with a switchless reseller.” Nothing in the cited references, Akinpelu and Atkins, teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 65, and claims 66-69, which depend from claim 65, are allowable over the cited references.

Claim 70 is allowable over the cited references in that the claim recites “determining that the dialed telephone number is associated with a switchless reseller if the carrier does not service the dialed telephone number.” Nothing in the cited references, Akinpelu and Atkins, teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 70, and claims 71-79, which depend from claim 70, are allowable over the cited references.

Claim 80 is allowable over the cited references in that the claim recites “determining that the dialed telephone number is associated with a switchless reseller if the carrier does not service the dialed telephone number.” Nothing in the cited references, Akinpelu and Atkins, teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 80 is allowable over the cited references.

In the Office Action, claims 16-20, 66-69, and 71-74 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Atkins in further view of Bunge.

The rejection of claims 16-20, 66-69, and 71-74 is respectfully traversed and reconsideration is requested. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the combination of Akinpelu, Atkins, and Bunge fail to teach all the limitations of claims 16-20, 66-69, and 71-74.

The rejection of claims 16-20 is respectfully traversed and reconsideration is requested. Applicant respectfully submits claims 16-20, which depend from independent claim 11, are allowable in that that additional reference, Bunge, fails to cure the deficiencies of the primary references Akinpelu and Atkins. That is, Bunge also fails to teach or suggest “determining from the information whether the terminating carrier is a switchless reseller.” Accordingly, Applicant respectfully submits that claims 16-20, which depend from claim 11, are allowable over the cited references.

The rejection of claims 66-69 is respectfully traversed and reconsideration is requested. Applicant respectfully submits claims 66-69, which depend from independent claim 65, are allowable in that that additional reference, Bunge, fails to cure the deficiencies of the primary references Akinpelu and Atkins. That is, Bunge also fails to teach or suggest “querying a database associated with the carrier, the database containing telephone numbers associated with switchless resellers, using the telephone number to determine if the telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 66-69, which depend from independent claim 65, are allowable over the cited references.

The rejection of claims 71-74 is respectfully traversed and reconsideration is requested. Applicant respectfully submits that claims 71-74, which depend from independent claim 70, are allowable in that the additional reference, Bunge, fails to cure the deficiencies of the primary references Akinpelu and Atkins. That is, Bunge also fails to teach or suggest “determining that the dialed telephone number is associated with a switchless reseller if the carrier does not service the dialed telephone number.” Accordingly, Applicant respectfully submits that claims 71-74, which depend from independent claim 70, are allowable over the cited references.

In the Office Action, claims 4-6, and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Bunge in further view of Atkins.

The rejection of claims 4-6, and 10 is respectfully traversed and reconsideration is requested. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the

combination of Akinpelu, Bunge, and Atkins fail to teach all the limitations of claims 4-6, and 10.

Claims 4-6, and 10 depend from independent claim 1. Applicant respectfully submits that the additional reference, Atkins, fails to cure the deficiencies of the primary references, Akinpelu and Bunge. That is, Atkins also fails to teach or suggest “determining information about the telephone number including ... whether the telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 4-6, and 10, which depend from claim 1, are allowable over the cited references.

In the Office Action, claims 21-64, and 75-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Atkins in further view of Winstead.

The rejection of claims 21-64, and 75-79 is respectfully traversed and reconsideration is requested. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the combination of Akinpelu, Atkins, and Winstead fail to teach all the limitations of claims 21-64, and 75-79.

Independent claim 21 is allowable over the cited references in that the claim recites “comparing the dialed telephone number listing information to listing information including associated telephone numbers to identify other telephone numbers associated with the dialed telephone number listing information.” Nothing in the cited references, Akinpelu, Atkins, and Winstead teaches or suggests at least this feature of the claimed invention. Accordingly,

Applicant respectfully submits that claim 21, and claims 22-28, which depend from claim 21, are allowable over the cited references.

Independent claim 29 is allowable over the cited references in that the claim recites “comparing the bill-to listing information in said query to listing information including associated telephone numbers to identify other telephone numbers associated with the bill-to listing information.” Nothing in the cited references, Akinpelu, Atkins, and Winstead teaches or suggests at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 29, and claims 30-36, which depend from claim 29, are allowable over the cited references.

Independent claim 37 is allowable over the cited references in that the claim recites “performing a reverse directory lookup query in a database to determine a listed name associated with the dialed telephone number,” and “comparing the listed name to the allowed list to determine if the listed name is contained in the allowed list.” Nothing in the cited references, Akinpelu, Atkins, and Winstead teaches or suggests at least this feature of the claimed invention. Namely, the system disclosed in Winstead performs “queries [that] seek to determine ... whether that third party’s credit history is sufficient (col.5, lines 24-25),” by determining “a bad credit history associated with the phone of the called party.” Col. 7, lines 2-3. Accordingly, Applicant respectfully submits that claim 37, and claims 38-40, which depend from claim 37, are allowable over the cited references.

Independent claim 41 is allowable over the cited references in that the claim recites “performing a reverse directory lookup query in a directory assistance database,” and “identifying listing information associated with the dialed number.” Nothing in the cited

references, Akinpelu, Atkins, and Winstead teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claim 41 is allowable over the cited references.

Independent claim 42 is cancelled by this amendment without prejudice or disclaimer, with its subject matter substantially incorporated into claim 49. Claim 49, which is independent as amended, is allowable over the cited references in that it recites “querying a credit reporting database using the listing information to retrieve credit information related to the listing information ... wherein the listing information includes a listed address.” Nothing in the cited references, Akinpelu, Atkins, and Winstead teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that amended claim 49, and amended claims 43-48, and 50-52, which depend from amended claim 49, are allowable over the cited references.

Independent claim 53 is cancelled by this amendment without prejudice or disclaimer, with its subject matter substantially incorporated into claim 61. Claim 61, which is independent as amended, is allowable over the cited references in that it recites “analyzing the credit information to determine whether the bill-to-third-party call should be connected, wherein the listing information includes a listed address.” Nothing in the cited references, Akinpelu, Atkins, and Winstead teaches at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that amended claim 61, and amended claims 54-60, and 62-64, which depend from amended claim 61, are allowable over the cited references.

The rejection of claims 75-79 is respectfully traversed and reconsideration is requested. Applicant respectfully submits that claims 75-79, which depend from independent claim 70, are allowable over the cited references in that the additional reference, Winstead, fails to cure the deficiencies of the primary references, Akinpelu and Atkins. That is, Winstead also fails to teach or suggest “determining that the dialed telephone number is associated with a switchless

reseller if the carrier does not service the dialed telephone number.” Accordingly, Applicant respectfully submits that claims 75-79, which depend from independent claim 70, are allowable over the cited references.

In the Office Action, claims 7-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Akinpelu in view of Bunge in further view of Atkins and Winstead.

The rejection of claims 7-9 is respectfully traversed and reconsideration is requested. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03, citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Moreover, all of the words in the claim must be considered when reviewing the claim in light of the prior art. Id. Applicant respectfully asserts that the combination of Akinpelu, Bunge, and Atkins fail to teach all the limitations of claims 7-9.

Claims 7-9 depend from independent claim 1. Applicant respectfully submits that the additional references, Atkins and Winstead, fail to cure the deficiencies of the primary references, Akinpelu and Bunge. That is, Atkins and Winstead also fail to teach or suggest “determining information about the telephone number including ... whether the telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 7-9, which depend from claim 1, are allowable over the cited references.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

By Rebecca Goldman Rudich
Rebecca Goldman Rudich

Registration No.: 41,786
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant



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